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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

AARON ELLSWORTH, an individual,

Plaintiff,

v.

CAPITAL ONE, N.A., a District of Columbia
Corporation, and DOES 1-10,

Defendants.

**DEFENDANT CAPITAL ONE, N.A.’S
REQUEST TO SUBMIT PLAINTIFF’S
MOTION FOR LEAVE TO AMEND
FIRST AMENDED COMPLAINT**

Case No. 2:24-cv-00468-JNP

Judge: Jill N. Parrish

Pursuant to DUCivR 7-3 of the Local Rules of Practice, Defendant Capital One, N.A.¹
 (“**Capital One**”) hereby submits for the Court’s decision Plaintiff Aaron Ellsworth’s
 (“**Plaintiff**”) *Motion for Leave to Amend First Amended Complaint* (“**Motion to Amend**”).

The following papers have been filed and served as follows:

- 1) Plaintiff filed and served his Motion to Amend on October 9, 2024;
- 2) Capital One filed and served its Opposition on October 23, 2024; and

¹ Erroneously sued as “CAPITAL ONE, N.A., a District of Columbia Corporation.”

- 3) Plaintiff's Reply was due on November 6, 2024, however, to date, no reply has been filed or served.

Therefore, Plaintiff's Motion to Amend is ripe for decision. Oral argument is not requested.

DATED this 11th day of November 2024.

RAY QUINNEY & NEBEKER P.C.

/s/ Beth J. Ranschau

Beth J. Ranschau

Attorneys for Defendant Capital One, N.A.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of November 2024, I electronically filed the foregoing **REQUEST TO SUBMIT MOTION TO AMEND FIRST AMENDED COMPLAINT** with the Clerk of the Court using the Court's CM/ECF filing system, which sent notification of same to counsel of record as indicated below:

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Attorneys for Plaintiff Aaron Ellsworth

/s/ Liz Beidoun